Secrt. Old No. II-27, New No. M-15—75,006—31-1-55.

P.W (1956) Department.

MS SERIES.

G.O. No. 4330

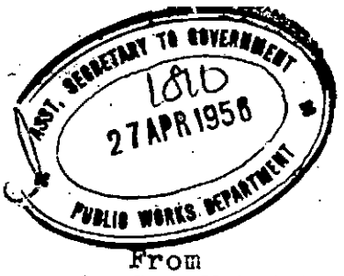
Dated 18 — 10 — 56

Passed
Rd
supdt
6/

FOR MYSORE STATE

[Despatch Abstract.]

Electricity Department - Establishment - Udipi Electrical Undertaking - Sri K. Balakrishna, Clerk (Special Cadre) - Absorption in Madras Ministerial Service - Orders issued.



GOVERNMENT ELECTRICITY DEPARTMENT

From
Sri M.B.Kandasamy, B.A., B.E., M.E.(Hons), M.I.E.(Ind.),
Chief Operation Engineer (South),
157, Mount Road, Madras.

To
The Secretary to Government,
Public Works Department, Madras.

No.3801-E/55-3 Dated 18-4-'56.

Sir,

Sub:- Electricity Department - Establishment
Udipi Electrical undertaking - Acquisition by Government - Regular absorption of Sri K.Balakrishna in Madras Ministerial Service - Representation.

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I enclose herewith a copy of the representation dated 5-3-56 from Sri K.Balakrishna, Lower Division Clerk, Udipi Electrical undertaking.

2. Although it was recommended that Sri Balakrishna might be absorbed as Store Keeper in the regular Madras Ministerial Service - vide my letter No.61-L/51-45 dated 2-2-53 - he was absorbed only as clerk in Special cadre with effect from 1-6-51 in G.O.Ms.No.2234 P.W. dated 21-5-53. The clerk has subsequently secured necessary marks in English in the S.S.L.C. examination held on 15-10-54. So, he was absorbed as a Lower Division Clerk in the Madras Ministerial Service with effect from 16-10-54 the date following the date of the S.S.L.C. examination referred to above.

3. The clerk has now requested that as he belongs to a backward community he may be absorbed as an Lower Division Clerk with effect from 1-6-51 itself (the date of taking over of Udipi Electrical undertaking) with reference to the orders in G.O.Ms.No.974 Public (Services) Department dated 26-4-48. But these orders were superseded in G.O.Ms.No.2186 Pub.(Ser) Department dated 23-8-51. Although the clerk was taken over into Government service from 1-6-51 the regular absorption orders were issued only in G.O.Ms.No.2234 P.W. dated 21-5-53. Had the absorption orders been issued prior to 23-8-51 the employee might have been eligible for the concession granted in G.O. dated 26-4-48 (i.e.) he might have been absorbed in regular Madras Ministerial Service with effect from 1-6-51 although he scored only 36% in English. I recommend that his request may kindly be reconsidered by Government and revised orders issued.

for Chief Operation Engineer (South).

Encl:- copy of representation and marks list.

rr/26/4/-

Copy of representation dated 5-3-56 from Sri K.Balakrishna, L.D.C., Govt. Electricity Department, Mangalore, to the Chief Engineer (Electricity), Madras.

Sub;- Establishment - Udipi Electrical Undertaking - regular absorption as Lower Division Clerk from date of acquisition - orders - requested.

Ref:- G.O.Ms.2234 P.W.D. dt. 21-5-53
G.O.Ms.3571 P.W.D. dt. 20-9-53
G.O.Ms.2186 Education dt. 23-8-51.

In Government order No.Ms.3577, Public Works dt. 20-9-55 the Government of Madras have been kind enough to regularise my service as Lower Division Clerk in the Electricity Department with effect from 16-10-54 for which I remain ever grateful. In this connection, further I would add that since the order cited in the above has not done full justice in redressing my humble grievances, I beg permission to bring the following for your sympathetic consideration and early favourable orders.

2. In accordance with G.O.Ms.2234 dt.21-5-53, I was taken over from the Udipi Electrical Undertaking, and was absorbed as Clerk on Special Cadre with effect from 1-6-51 Ever since that date, I was working as Lower Division Clerk discharging all the duties just like other Lower Division Clerks of the Department, having the same responsibility and the volume and nature of work. But to my great dismay, I was not paid in the same scale of pay and facilities as given to other Lower Division Clerks; instead, I was paid only in the meagre scale of pay i.e. Rs.20-1½-35. The reason put forth vide para 1 of G.O. (2) cited above for the above treatment was that; I was not fully qualified in respect of education at the time of acquisition i.e. on 1-6-51 to hold the post of Lower Division Clerk in the regular cadre.

3. Sir, I belong to one of the backward community and as regards my educational qualification I beg to state that I appeared for the S.S.L.C. Public Examination and scored the percentage of marks as specified in the enclosed marks' list. In this connection, I beg to bring to your kind consideration that as per the educational concession allowed by the Government during the 48 to the backward community, I was declared eligible and entitled to hold the post of L.D.C. in the regular cadre. This Government order was in operation even in the year 51. In this G.O., it is specified that if a candidate belongs to any one of the backward community or Scheduled caste or Scheduled Tribes, and if he possess 35% in English subject and not less than the prescribed marks in other subjects; is eligible for the appointment in the State Subordinate Service. The enclosed marks' list is self explanatory to prove my eligibility for the appointment of regular post of L.D.C. ever since 48.

4. Since I was in the service at that time under the Udipi Electric Supply Corporation, Ltd., as a clerk and also as there was no need of M.P.S.C. for the appointment of clerk in that Company, besides then; I was permanently absorbed as a clerk. Therefore I didn't make good of the above concession. In the year 51, the Government has withdrawn the above educational qualification which was in operation from 48 onwards, and restricted the concession to only Scheduled caste and Scheduled tribes. A copy of the G.O.Ms.2186 dt. 23-8-51 is enclosed for your kind perusal and ready reference.

..2..

5. Sir, having studied scoring the prescribed percentage of marks in S.S.L.C. Public Examination, in the circumstances stated in the previous paras, and being entitled to hold the post of L.D.C. in the regular cadre right from the date of acquisition, I was absorbed as L.D.C. in the regular cadre only with effect from 15-10-54, vide G.O.(2) cited above, without considering sympathetically and giving and value for my hard, sincere and faithful service of 8 years, which I have rendered 3 years in Company and 5 years in Government Electricity Department.

6. Since I have been absorbed only with effect from 15-10-54 and fixing my seniority from that date among the Madras Ministerial Service in the catagory of the L.D.Cs, it is nothing but a hard blow on my future career, and depriving the enthusiasm of my sincere and hard service. Sir, if it is the final consideration of the Government of my absorption of L.D.C., I once again beseach your goodself and state that the blow is unsustainable, because I already lost 3 years service in the Company due to nationalisation of the Comapny. Further, even the service rendered in the Government for the period from 1-6-51 to 15-10-54 in the Clerical cadre will also be entirely forfieted, thereby not only my seniority, increments and also my poor, a fervent ambition of being promoted to the higher post in this department will completely be diminished.

7. In G.O.Ms.4321 P.W.D. dated 8-12-54, Government have ordered that such of the clerical staff of the Electrical undertakings, acquired by the Government from local authority and company licensees as were declared eligible for college course, but do not possess the minimum general educational qualification required for absorption into Public Service be made eligible for absorption in suitable posts in the Madras Ministerial Service in the Government Electricity Department.

8. Due to my ill fate, I am not so fortunate to derive any benefit of this Government Order, since I have not come out successfully in first attempt due to the shortage of prescribed percentage of marks in one subject. However, since I appeared once again in the year 48 in that subject and scored sufficient marks, in that subject, thereby I was deemed to be fit for appearing M.P.S.C. at that time as per the educational concession already stated. However, I humbly place before your goodself, to be kind enough to consider my miserable environments and to issue orders to absorb me as L.D.C. extending concession to my case also.

9. On the circumstances stated above, I humbly beseach your goodself to be kind enough to the mournful cry of this one of your humble servant and to reconsider my case and to issue favourable orders g regularising my service as Lower Division Clerk with effect from the date of acquisition i.e. 1-6-51, I pray your honour to bestow justice on my part for which act of kindness and generosity, I remain ever grateful.

10. Awaiting your early and favourable orders.

..3..

7

Mark List.

This is to certify that Sri K.Balakrishna has secured the following percentage of marks in his S.S.L.C. Public Examination held during the years as noted against each item vide his Secondary School Leaving Certificate No.81494 G.

Subject.	Marks.	Year in which the marks secured.
1. English	36 50	1948 1954
2. Kannada	42	1947
3. Elementary Mathematics.	40	1947
4. Elementary Science.	47	1947
5. History and Geography.	35	1947
6. Chemistry (Optional)	48	1947

Sd. D.Narayanan,
Deputy Chief Accountant, Pykara System
Coimbatore.

--

J.S.Jamakhandi
Superintendent.

E

1810 9/56.

PWD(I2)

The question of abolition of the Special Cadre is under consideration and that question has a bearing on the proposal in this file. L.O. XII 10.6.56.

10/6/56

14/6/56

14/6/56

The file referred to at X above is in circulation. L.O. XII 1-7-56.

11.6.56

12/7/56

12/7/56

Final orders have not been issued in the file referred to at X above

3.7.56 L.O. XII 10.8.1956

Refer to 2 Revenue 45/53

GOVERNMENT ELECTRICITY DEPARTMENT

From

Sri M.B.Kandaswami, B.A., B.E., M.E.(Hons), M.I.E.(Ind),
Chief Operation Engineer (South), 157, Mount Road,
Madras.

To

The Secretary to Government,
Public Works Department, Madras.

ASST. SECRETARY TO GOVERNMENT
380
JUL 1956
PUBLIC WORKS DEPARTMENT

No.3801 E/55-7 dated 30-6-56.

Sir,

Sub:- Electricity Department- Establishment- Madras Electrical Undertaking- Acquisition by Government- Regular absorption of Sri K.Balakrishna in Madras Ministerial Service-

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Ref:- My letter No.3801 E/55-3 dated 18-4-56.

I invite reference to my letter cited above and request early orders thereon.

For Chief Operation Engineer (South)

VAG.2/7.

II

PWD(2)

Memo no. 1810/56 - 1577/56

Sub: Elec - additl electrical undertaking - Sm. K. Balakrishna - Absorption in M.A.S.

Ref. From the COS(S), no. 3801/55-E, dt 30.6.56

The matter is under consideration.

7/7/56

The COS(S)

7.7.56

Note: Please see l.o. orders on p 8 of

Draft above is for approval.

7.7.56.

7.7.56

Please see the l.o. orders on p. 8 ante.
The P.S.C. has been addressed on 3/8/56 separately for its concurrence to the proposal for the abolition of Special Cadre in the Elecy. Dept. Its reply is awaited. This may therefore continue to lie over till 15-9-56.

Separate file (L No 6336/55)

16.8.56. KG 16/8/56

16/8/56.

15

FROM:
K.Balakrishna,
Lower Division Clerk,
Office of the Divisional Elecl.Engineer,
125, Kadri Road,
MANGALORE.3.

ASSISTANT SECRETARY TO GOVERNMENT
4195
30 AUG 1956
PUBLIC WORKS DEPARTMENT

To

The Secretary to Government of Madras,
Public Works Department,
Fort St. George,
MADRAS.

Sir,

Sub: Estt - Udipi Electrical Undertaking - Regular absorbtion as L.D.C. for 1-6-1956 - Order requested.

I beg to bring the following few grievances for kind consideration and favourable orders.

I have submitted my grievances in my application dated 5-3-1956 to the Chief Engineer for Electricity, Madras for sympathatic consideration and favourable orders regularising my service as Lower Division Clerk with effect from 1-6-1951 but I earnestly beg to state that I have not received any order from the Chief Engineer for Electricity regarding my absorbtion except from Superintending Engineer, Pykara Electricity System, Coimbatore, Stating that my case is under consideration in the Government.

In this connection I beg to state that consequent to the reorganisation of States, I have opted to serve under the Karnataka State and if the order is not issued favourably before seperation of States my case will be very miserable and will be put into hardship by lossing my seniority as well as my future prospectse in this Department thereby my future life will be completely ruined.

Hence I humble pray your goodself to consider my grievance sympathatically and to be kind enough to issue favourable orders absorbing me in the regular cadre as Lower Division Clerk with effect from 1-6-1951 at an early date.

Yours faithfully,

Balakrishna

MANGALORE
DATE 27/8/56

Copy submitted to Secretary, Public Works Department, Madras for advance information and early action.

P.W.D. (S3)

Please see the orders at p.13 ante and the reference at p.15 ante. It has been decided to accept the proposal that the staff of acquired elect. undertakings absorbed in Spl. cadres for want of requisite educational qualifications may be absorbed in regular Service cadres in Elecy. Dept. from the working date itself by relaxing the relevant rules in their favour. In pursuance of the above decision, the C.E.(E) has been asked to send proposals very urgently before 20/9/56 in respect of Spl. cadres employees in the dept. likely to be transferred to the new Kerala and Mysore States. They are awaited in the L.F. (C.no.109-I/56). This file may therefore lie over till 20.9.56. (It is presumed that the petitioner's name in this case will also be included in the above proposals to be submitted by the C.E.(E) as the petitioner has stated that he is desired to be absorbed in Service under Karnataka State).

14/9/56

14/9/56

(C.No.1810-I/56). P.W.D.(I-3)

ELECY. DEPT. - Estt. - Udipi Elecl. Undertaking - Sri K.Balakrishnan, clerk (Spl. Cadre) - Absorption in Madras Ministerial Service - Orders issued.

Read:-
G.O.No.Ms.3577 P.W. d/20-9-1955.
G.O.No.Ms.4027 P.W. d/25-9-1956.

Read also:-

From the C.O.E.(S), No.3801-E/55-3, d/18-4-56.

G.O. Ms. No. 4330 d/ 18.10.58

In pursuance of the orders issued in G.O.No.Ms.4027 P.W. d/25-9-1956 and in modification of the orders in G.O. Ms.3577 P.W. d/20-9-55, the Govt. pass the following revised orders in regard to the regular absorption of Sri K.Balakrishnan in Govt. service:-

(i) Sri K.Balakrishnan will be absorbed in the Govt. Elecy. Dept. as L.D.C. in the Madras Ministerial Service with effect from 1-6-51 on a pay of Rs.45/- in the scale of Rs.45-3-60-2-90 and D.A. and H.R.A. at Govt. rates. He will not be entitled to arrears of pay, etc. for the period prior to 25.9.56.

(ii) Leave Rules:- The Madras Leave Rules, 1933 shall apply with effect from 1-6-51 subject to the condition that the leave account prior to 25.9.56 will not be recalculated.

(iii) Pension, etc. system:- The employee will be governed by the Contributory-Provident Fund-Pension-Insurance System with effect from 1-6-51.

(iv) Seniority:- The seniority of the employee in the category of L.D.Cs. in

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the Madras Ministerial Service shall count from 1-6-1951.

(v) Probation: The employee shall be deemed to have been on probation with effect from 1-6-51 in the category of L.D.C. in the Govt. Elecy. Dept.

2. The Govt. sanction the creation of one permanent post of L.D.C. in the Madras Ministerial Service with effect from 1-6-1951 to provide for the regular absorption of Sri K. Balakrishnan as L.D.C. in the Govt. Elecy. Dept. The permanent post referred to above shall be in lieu of ~~one~~ supernumerary post of L.D.C. sanctioned in para.4 of G.O. Ms.3577 P.W. d/20-9-1955.

3. Under the latter part of regulation 16(b) of the M.P.S.C. Regulations, 1954, the Commission has agreed to the appointment of the persons appointed to the Special Cadre in suitable posts in Madras Ministerial Service being made without the ordinary statutory reference to it subject to the condition that the relevant rules are relaxed in their favour and subject to the further conditions mentioned in G.O.Ms.4027 P.W. d/25-9-56.

4. In exercise of the powers conferred by rule 48 of the General Rules contained in Part II of the Madras State and Subordinate Services Rules in Vol.I of the Madras Services Manual 1954, the Governor of Madras hereby directs that the relevant

provisions of the General Rules for the Madras State and Subordinate Services and the Special Rules for the Madras Ministerial Services be relaxed in favour of Sri K. Balakrishnan in order to enable him to be regularly appointed as L.D.C. in the Madras Ministerial Service with effect from 1-6-1951, and to be substantively appointed from 1.6.51 as L.D.C. subject to the condition that he is declared to have completed his probation satisfactorily by the competent authority.

To

The C.O.E.(S).

The A.G. THROUGH Fin.

The Secy., M.P.S.C.

~~Copy to Mysore State.~~

Copy to Pub.(Ser.) Dept.

S.Cs-3.

[Only also to Mysore State]

)(C.No.1810-I/56).

P.W.D.(I-3)

Sub:- Elecy. Dept. - Estt. - Udipi Elecl. Undertaking - Regular absorption as L.D.C. in Madras Ministerial Service - Representation.

Ref:- From the C.O.E.(S), No.3801-E/55-3, dated 18-4-56.

The file deals with the representation from Sri K. Balakrishnan, L.D.C., Udipi Elecl. Undertaking, for absorbing him as L.D.C. in Madras Ministerial Service with effect from 1-6-51 itself (the date of the taking over of the Udipi Elecl. Undertaking).

2. Sri K. Balakrishnan was employed as clerk in the Udipi Elecl. Undertaking when the undertaking vested in the Govt. on 1-6-51 under the Acquisition Act of 1949. Since the employee did not then possess the requisite minimum general educational qualification for absorption in public service, because of deficiency in the number of marks obtained in English at the S.S.L.C. examination, he was ordered to be absorbed as clerk in the Special Cadre with effect from 1-6-51 on a pay of Rs.29/- in the scale of Rs.20-½-35 as applied to him under the ex-licensee before the vesting date plus D.A. and H.R.A. at Govt. rates. Sanction was also accorded to the grant of a personal pay to the employee to the extent necessary to make up the shortage, if any, between the D.A. of Rs.25/- he was drawing under the ex-licensee and the total amount of D.A. and H.R.A. at Govt. rates allowed to him on his absorption in the special cadre. Subsequently the employee acquired the prescribed educational qualification for appointment as L.D.C. in the Madras Ministerial Service by securing the requisite marks in the S.S.L.C. examination in English held on 15-10-54. So he was absorbed as L.D.C. in the Madras Ministerial Service with effect from 16-10-54 i.e., the date following the S.S.L.C.

clerk has now requested that as he belongs to a backward community he may be absorbed as an L.D.C. with effect from 1-6-51 itself (the date of taking over of Udipi Elecl. Undertaking) with ref. to the orders in G.O.Ms.974 Pub.(Ser.) dated 26-4-48 showing educational concessions to members of Backward communities.

para 2, p 1 Cl

It is submitted that the above request of the petitioner cannot be complied with as the concessions relating to educational qualifications shown to members of backward communities were withdrawn from 1-1-51 itself. This aspect of the matter was already considered in his case while absorbing him as clerk in the special cadre--please see notes at pp.33-35 n.f. of G.O.2234 P.W., d/21-5-53. However in G.O.No.Ms.4027 P.W. d/25-9-56 orders have been issued approving the proposal that the staff of acquired elecl. undertakings absorbed in special cadres for want of requisite educational qualifications might be absorbed in regular service cadres in Govt. Elecy. Dept. from the vesting date itself by relaxing the relevant rules in their favour: In pursuance of this order, Sri K.Balakrishnan may be absorbed as L.D.C. in the Madras Ministerial Service during the period from 1-6-51 to 15-10-54 in which he was working as clerk in the Special Cadre relaxing the educational qualfn. rules and subject to the conditions specified in G.O.Ms.4027 P.W. d/25-9-56,

(N) ... at (A)

Ltr 10.10.56

Copy at (A)

Fixation of pay: His pay may be fixed at Rs.45/- with effect from 1-6-51 in the scale of Rs.45-3-60-2-90 subject to the condition that he will not be allowed to draw any arrears ~~xxxxxxxx 25-9-1956~~ during the above period.

Ltr 10.10.56

Increment: Increments may be allowed as usual but no arrears will be allowed during the above period.

Ltr 10.10.56

Leave rules: The employee may be governed by

the Madras Leave Rules with effect from 1-6-51 subject to the condition that leave will not be recalculated during the above period.

Pension: He may be governed by the C.P.P.F. with effect from 1-6-51.

Seniority: Seniority of the employee in the category of L.D.C. in the Madras Ministerial Service may be counted from ~~1-6-51~~ 1-6-51.

Probation: The employee may be deemed to be on probation with effect from 1-6-51 in the category of L.D.C.

A permanent post of L.D.C. in the Madras Ministerial Service may be created with effect from 1-6-51 to provide for the permanent absorption of Sri Balakrishna in that post. This will be in lieu of one supernumerary post of L.D.C. sanctioned in para.4 of G.O.Ms.3577 P.W-, dated 20-9-55 against which the employee is now counted. A draft order is subd. for approval.

The file may be sent to Pub.(Ser.) and Fin. for ~~remarks~~ acceptance.

29.9.56 / 4.10.56 / 6/10/56 / 8/10/56 / 10.10.56 / 10.10.56

P.W.D. Lr. No. 1810-9/56-2, 10.10.56.

Pub (Ser.) / Fin

Public (Services) Deptt.

The note of Public Works from p. 1 ante may be perused. The draft order below may be accepted in this deptt. and the file passed on to Finance.

Lr. P.W.D. No. 45344/A/56-1, 11.X.56.

11-10-56 / 14/X/56 / 11.10.56 / 19/11/56

Pur (Sri)

The note from P1 above may be perused and the draft order below may be accepted.

A.D.S.

Dy. C.R.

P.W.D. (J3) (4853-J/56)

Please see the note of Pur (Sri) at p. 3 ante and that of Fri. above. The draft order below may now issue.

[Issued as G.O. no. Ms. 4330 P.W. dt 18/10/56]